

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD BRADDOCK,

Plaintiff,

V.

ZAYCON FOODS, LLC, et al.,

Defendants.

C16-1756 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The stipulated motion filed by plaintiff Richard Braddock and defendants Michael and Jane Doe (aka Julie) Giunta, docket no. 168, is GRANTED as follows:

(a) All claims asserted by plaintiff against Michael and Julie Giunta, and all counterclaims asserted by Michael and Julie Giunta against plaintiff are hereby DISMISSED with prejudice and without costs; and

(b) All claims asserted by plaintiff against defendant Zaycon Foods, LLC are DISMISSED with prejudice and without costs.

(2) The claims remaining for trial, which remains set for January 13, 2020, are: (i) plaintiff's first (federal securities fraud), second (state securities fraud), third (common law fraud), fourth (negligent misrepresentation), and fifth (breach of fiduciary duty¹) claims against defendants Frank R. Maresca (and his spouse and marital community) and Mike Conrad (and his spouse and marital community); and (ii) defendants Maresca's

¹ See Order at 15 n.5 (docket no. 167) (requiring the parties to address in their trial briefs certain issues relating to plaintiff's breach of fiduciary duty claim).

1 and Conrad's first (declaratory judgment), second (breach of fiduciary duty), and third
2 (tortious interference) counterclaims.

3 (3) In all future filings, the caption of this case shall be as follows:

4 RICHARD BRADDOCK,

5 Plaintiff,

6 v.

7 FRANK R. MARESCA, JANE DOE
8 MARESCA, and the marital community
9 composed thereof; and MIKE CONRAD,
10 JANE DOE CONRAD, and the marital
11 community composed thereof,

12 Defendants.

9 ZAYCON FOODS, LLC,

10 Counterclaimant,²

11 v.

12 RICHARD BRADDOCK,

13 Counter-Defendant.

14 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

15 Dated this 3rd day of December, 2019.

16 William M. McCool

17 Clerk

18 s/Karen Dews

19 Deputy Clerk

20 _____
21 ² Within fourteen (14) days of the date of this Minute Order, counsel for plaintiff and counsel for
22 Zaycon Foods, LLC ("Zaycon") shall meet and confer and file a Joint Status Report concerning
whether the counterclaims asserted by Zaycon against plaintiff may be dismissed and, if not, how
such counterclaims will be resolved in this matter in light of Zaycon's dissolution.